THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :8571 of 2007

DATED:24-04-2007

Dr.U.V.Anantha Rao.

..... PETITIONER

AND

The District Level Committee,
Rep., by its Chairman-cum-Joint Collector,
Rangareddy District,
Hyderabad & 5 others.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioner; learned Government Pleader for Revenue; and the learned Government Pleader for Medical Health & Family Welfare appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents 1 to 3 in not disposing of the appeal filed by the petitioner against the Scheduled Caste certificate issued in favour of the 6th respondent, as illegal, arbitrary, and consequently direct the respondents 1 to 3 to pass final orders on the appeal and take action against the 6th respondent under Section 12 and against the 4th respondent under Section 13 of the A.P.(Scheduled Caste, Scheduled Tribe & BC) Regulations of Issue of Community Certificate Act, 1993.

3. It is stated that the petitioner belongs to Scheduled Caste community and he is the General Secretary of District Congress Committee of the Scheduled Caste Cell, Rangareddy District. On a representation, dated 06-02-2006, made by the petitioner before the 3rd respondent-Revenue Divisional Officer to enquire into the Caste certificate obtained by the

6th respondent as if she belongs to Scheduled Caste community

though she belongs to B.C. community, the 3rd respondent forwarded the same to the 4th respondent-Mandal Revenue Officer, Vikarabad vide letter, dated 16-02-2006, to enquire into the said representation and submit a detailed report for taking further action. It is stated that the 4th respondent-Mandal Revenue Officer, Vikarabad vide his proceedings, dated 31-03-2006, submitted a report stating that the 6th respondent belongs to Mekavanampally village, Mominpet mandal and therefore, it is for the Mandal Revenue Officer, Mominpet mandal to take appropriate action for sending the report. The 3rd respondent-Revenue Divisional Officer, Vikarabad vide notice, dated 26-04-2006, directed the 6th respondent to appear before him on 10-08-2006 but enquiry has not been completed and no further action has been taken so far. Hence, the present Writ Petition.

4. Petitioner filed his representation on 06-02-2006 and immediate action has been initiated and therefore, it cannot be said that there was any inordinate delay in not taking appropriate action. I am of the opinion that when enquiry is pending it is for the respondents 1 to 3 to take appropriate action in accordance with law as expeditiously as possible after giving reasonable opportunity to all the concerned without any undue delay.

5. Accordingly, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

24th April, 2007.

Note:

Furnish C.C. of the order
within three days

B/o

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